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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/803,034	03/12/2001	Ichio Yudasaka	108898	8415

25944 7590 04/15/2004

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EXAMINER

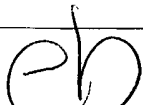
GARRETT, DAWN L

ART UNIT PAPER NUMBER

1774

DATE MAILED: 04/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/803,034	Applicant(s) YUDASAKA, ICHIO	
	Examiner Dawn Garrett	Art Unit 1774	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7, 12-17 and 19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 12-17 and 19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This Office action is in response to the amendment dated January 20, 2004. Claims 1, 2, and 13 were amended. Claims 8-11, 18, 20, and 21 are cancelled. Claims 1-7, 12-17, and 19 are pending.
2. The rejection of claims 1-7 and 12-21 under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement set forth in the last Office action, paragraph 5, is withdrawn due to the amendment.
3. The rejection of claims 18, 20, and 21 under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement as set forth in the last Office action, paragraph 6, is withdrawn due to the cancellation of claims 18, 20, and 21.
4. The rejection of claims 1-7 and 12-21 under 35 U.S.C. 103(a) as being unpatentable over Bulovic et al. (US 6,046,543) as set forth in the last Office action, paragraph 8, for the reasons of record with regard to the embodiment shown in Figure 3G of Bulovic is withdrawn; however, upon further consideration of Bulovic et al. the examiner sets forth the following rejection based upon a different embodiment of Bulovic et al.
5. Applicants newly added limitations in the independent claims are deemed to be supported by the drawings in Figures 2, 3, and 6.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(c) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1-7, 12-17, and 19 are rejected under 35 U.S.C. 102(e) as being anticipated by Bulovic et al. (US 6,046,543). Bulovic et al. Figure 3C discloses an organic electroluminescent element wherein the cathode 41, organic layers 43, and anode 42 form a cumulate body that has a flat surface (see col. 6, lines 25-32) and also the embodiments of Figures 4A-4C show the flat surface embodiment. The anode layer 42 has slopes to the side of the flat surface that go to the side of the stacked flat surface. The reflective surface 44 attached to the side of the anode slope reads upon the reflection of the slope of the second electrode layer that goes to the side of the other electrode layer per instant claim 1. The display may comprise multiple electroluminescent device units per the pixel limitation of claim 2. The substrate 21 reads upon the insulating material projection of claims 6 and 7; the further substrate required by the claims is any surface upon which the device rests. The protruding height of the organic layer is higher than the combined thickness of the organic layer and the cathode per instant claim 4 (see figure 3C). Per instant claims 12 and 15, Bulovic teaches the cathode may comprise metal and the anode may comprise transparent ITO (indium tin oxide) (see col. 4, lines 13-22 and col. 6, lines 42-44).

Response to Arguments

8. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dawn Garrett whose telephone number is 571-272-1523. The

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examiner can normally be reached Monday through Friday during normal business hours. Please allow the examiner twenty-four hours to return your call.

If reasonable attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cynthia Kelly, can be reached at 571-272-1526. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



DAWN GARRETT
EXAMINER
ART UNIT 1774

D.G.
April 7, 2004